

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PAMELA and MICHAEL HENSLEY,

Plaintiff(s),

v.

UNITED STATES OF AMERICA,

Defendant(s).

NO. C04-302P

USCA No. 06-35619

MINUTE ORDER

The following minute order is made by the direction of the court, the Honorable Marsha J. Pechman:

Appellant has filed a Certificate of Non-Necessity of Trial Transcripts Pursuant to Ninth Circuit Rule 10-3(d) (Dkt. No 151-1); Appellees have filed a Response to Certificate of Non-Necessity registering their disagreement with the government's intention not to file a transcript with their appeal.

FRAP 10-3(f) leaves it to the District Court to determine which party shall pay for which portions of the transcript in the event of a dispute such as this. The Court hereby orders that a transcript of Ms. Hensley's trial testimony shall be provided to the appellate court and that, as the party prosecuting the appeal, the government shall bear the cost of producing that portion of the trial transcript.

MINUTE ORDER

1 Filed this 23rd day of August, 2006.

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3 BRUCE RIFKIN, Clerk

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5 By /s Mary Duett
6 Deputy Clerk
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26 MINUTE ORDER